



भारत का राजपत्र

The Gazette of India

15
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प्राधिकार से प्रकाशित

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No. 1] NEW DELHI, SATURDAY, JANUARY 4, 1969/PAUSA 14, 1890

इस भाग में विशेष पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II — खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य-भागों के प्रशासनों को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किये गये विधि के अन्तर्गत बनाये और जारी किये गये साधारण नियम (जिनमें साधारण प्रकार के आदेश, उप-नियम आदि सम्मिलित हैं)।

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 13th December 1968

G.S.R. 1.—In exercise of the powers conferred by clause (a) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby makes the following further amendments

in the notification of the Government of India in the Ministry of Law (Department of Legal Affairs) No. G.S.R. 1412, dated the 25th November, 1960, namely:—

In the Schedule to the said notification, in item '19 Chandigarh All Courts', for the entry", "Shri O. S. N. Rana, Government Pleader", the entry "District Attorney, Chandigarh" shall be substituted.

[No. F. 15(1)/67-J.]

New Delhi, the 20th December 1968

G.S.R. 2.—In exercise of the powers conferred by Rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby appoint the Executive Engineer (Roads and Buildings), Nalgonda (Andhra Pradesh):—

- (i) as the person by whom plaint or written statement in W.P. No. 2578 of 1968 on the file of the High Court of Andhra Pradesh relating to the encroachment on National Highway roadside land shall be signed; and
- (ii) as the person who, being acquainted with the facts of the case, shall verify such plaints and written statement.

[No. F. 16(I)/65-I.]

P. B. VENKATASUBRAMANIAN, Jt. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th December 1968

THE ALL INDIA SERVICES (CONDUCT) RULES, 1968

G.S.R. 3.—In exercise of the powers conferred by sub-section (1) of section 3 of the All-India Services Act, 1951 (61 of 1951), the Central Government after consultation with the Governments of the States concerned, hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the All-India Services (Conduct) Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

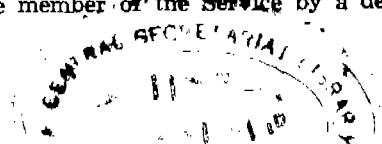
(a) "Government" means—

- (i) in the case of a member of the Service serving in connection with the affairs of the Union, the Central Government; or
- (ii) in the case of a member of the Service serving under a Foreign Government or outside India (whether on duty or on leave), the Central Government; or
- (iii) in the case of a member of the Service serving in connection with the affairs of a State, the Government of that State;

Explanation.—A member of the Service whose services are placed at the disposal of a company, corporation or other organisation or a local authority by the Central Government or the Government of a State shall, for the purposes of these rules, be deemed to be a member of the Service serving in connection with the affairs of the Union or in connection with the affairs of that State, as the case may be, notwithstanding that his salary is drawn from sources other than the Consolidated Fund of India or the Consolidated Fund of that State:

(b) 'member of family', in relation to a member of the Service, includes—

- (i) the wife or husband as the case may be, of such member, whether residing with him or her or not, but does not include a wife or husband separated from the member of the Service by a decree or order of a competent court;



- (ii) the son or daughter or the step-son or step-daughter of such member and wholly dependent on him or her, but does not include a child or step-child who is no longer in any way dependent on him or her or of whose custody the member of the Service has been deprived by or under any law; and
- (iii) any other person related, whether by blood or marriage, to such member or to his or her wife or husband, as the case may be, and wholly dependent on such member;
- (c) "member of the Service" means a member of an All-India Service as defined in section 2 of the All India Services Act, 1951 (61 of 1951).

3. General.—(1) Every member of the Service shall at all times maintain absolute integrity and devotion to duty and shall do nothing which is unbecoming of a member of the Service.

(2) Every member of the Service shall take all possible steps to ensure integrity, of, and devotion to duty by all Government servants for the time being under his control and authority.

(3) No member of the Service shall, in the performance of his official duties or in the exercise of powers conferred on him:—

- (i) act otherwise than in his best judgment except when he is acting under the direction of his official superior and he shall obtain such direction in writing, wherever practicable, and where it is not practicable, he shall obtain written confirmation as soon thereafter as possible;
- (ii) evade the responsibility devolving legitimately on him and seek instruction from, or approval of, a superior authority when such instruction or approval is not necessary in the scheme of distribution of powers and responsibilities.

4. Employment of near relatives in companies or firms.—(1) No member of the Service shall use his position or influence directly or indirectly to secure employment for any member of his family with any company or firm.

(2) (a) No member of the Service shall, except with the previous sanction of the Government, permit his son, daughter or dependent to accept employment with any company or firm having official dealings with the Government. —

Provided that where the acceptance of such employment cannot await the sanction of the Government or is otherwise considered urgent, the matter shall be reported to the Government; and the employment may be accepted provisionally subject to the sanction of the Government.

(b) A member of the Service shall, as soon as he becomes aware of the fact of acceptance by a member of his family of an employment with any company or firm, report to the Government the fact of such acceptance and also whether he has or has had any official dealings with that company or firm:

Provided that no such report shall be necessary if the member of the Service has already obtained sanction of, or sent a report to, the Government under clause (a).

(3) (a) No member of the Service shall in the discharge of his official duties, deal with any matter relating to, or award any contract in favour of, a company or firm or any other person, if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such company or firm or other person in any other manner.

(b) In any case referred to in clause (a), the member of the Service shall refer the matter to his official superior and the case shall thereafter be disposed of according to the instructions of the official superior.

5. Taking part in politics and elections.—(1) No member of the Service shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics, nor shall he take part in, or subscribe in aid of, or assist in any other manner, any political movement or political activity.

(2) It shall be the duty of every member of the Service to endeavour to prevent any member of his family from taking part in or subscribing in aid of, or assisting in any other manner, any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established, and where a member of the Service is unable to prevent a member of his family from taking part in or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government.

(3) If any question arises whether any movement or activity falls within the scope of this rule, the question shall be referred to the Government for its decision.

(4) No member of the Service shall canvass or otherwise interfere with, or use his influence in connection with, or take part in, an election to any Legislature or local authority:

Provided that—

- (i) a member of the Service qualified to vote at any such election may exercise his right to vote but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted; and
- (ii) a member of the Service shall not be deemed to have contravened the provisions of this sub-rule by reason only that he has assisted in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a member of the Service on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election, within the meaning of this sub-rule.

6. Connection with press or radio.—(1) No member of the Service shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

(2) No member of the Service shall except with the previous sanction of the Government or any other authority empowered by it in this behalf, or except in the bona fide discharge of his duties,

- (a) publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles, or
- (b) participate in a radio broadcast or contribute an article or write a letter to a newspaper or periodical,

either in his own name or anonymously or pseudonymously or in the name of any other person:

Provided that no such sanction shall be required—

- (i) if such publication is through a publisher and is of a purely literary, artistic or scientific character; or
- (ii) if such contribution, broadcast or writing is of a purely literary, artistic or scientific character.

7. Criticism of Government.—No member of the Service shall, in any radio broadcast or in any document published anonymously, pseudonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion—

- (i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government; or
- (ii) which is capable of embarrassing the relations between the Central Government and any State Government; or
- (iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State.

Provided that nothing in this rule shall apply to any statement made or views expressed by a member of the Service in his official capacity and in the due performance of the duties assigned to him.

8. Evidence before committees, etc.—(1) Save as provided in sub-rule (3), no member of the Service shall except with the previous sanction of the Government, give evidence in connection with any inquiry conducted by any person, committee or other authority.

(2) Where any sanction has been accorded under sub-rule (1) no member of the Service giving such evidence shall criticise the policy or any action of the Central Government or of a State Government.

(3) Nothing in this rule shall apply to—

- (a) evidence given at any inquiry before an authority appointed by the Government, or by Parliament or by a State Legislature; or
- (b) evidence given in any judicial inquiry; or
- (c) evidence given at departmental inquiry ordered by any authority subordinate to the Government.

(4) No member of the Service giving any evidence referred to in sub-rule (3) shall give publicity to such evidence.

9. Unauthorised communication of information.—No member of the Service shall except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or part thereof or information to any Government servant or any other person to whom he is not authorised to communicate such document or information.

Explanation.—Quotation by a member of the Service (in his representations to the Head of Office or Head of Department or President) of, or from, any letter, circular or office memorandum or from the notes on any file to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purposes, shall amount to unauthorised communication of information within the meaning of this rule.

10. Subscriptions.—No member of the Service shall, except with the previous sanction of the Government or of such authority as may be empowered by it in this behalf, ask for, or accept, contributions to or otherwise associate himself with the raising of, any fund or other collections in cash or in kind in pursuance of any object whatsoever.

11. Gifts.—(1) Save as provided in those rules no member of the Service shall accept, or permit his wife or any other member of his family or any other person acting on his behalf to accept, any gift exceeding seventy-five rupees in value without the previous sanction of the Government.

Explanation.—For the purposes of this rule, "gift" includes free transport, free boarding, free lodging or any other service or pecuniary advantage when provided by a person other than a near relative or personal friend having no official dealings with the member of the Service but does not include a casual meal, casual lift or other social hospitality.

(2) Where it is not practicable for a member of the Service to obtain the previous sanction of the Government under sub-rule (1) for accepting, or permitting his wife or any other member of his family or any other person acting on his behalf to accept, any gift exceeding seventy-five rupees in value, he shall, within one month of the acceptance of such gift make a report to the Government stating the circumstances under which such gift was accepted, and if the Government does not approve of such acceptance, he shall return the gift to the donor.

(3) On occasions such as weddings, anniversaries, funerals and religious functions, when making of gifts is in conformity with the prevailing religious or Social custom, gifts may be accepted—

- (a) from near relatives, provided that a report shall be made to the Government if the value of any such gift exceeds five hundred rupees;
- (b) from personal friends having no official dealings with the member of the service, provided that a report shall be made to the Government if the value of any such gift exceeds two hundred rupees.
- (4) Members of the Service shall avoid accepting lavish hospitality or frequent hospitality from individuals having official dealings with them or from industrial or commercial firms or other organisations.

12. Public demonstrations in honour of Government Servants.—(1) No member of the Service shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government Servant:

Provided that nothing in this rule shall apply to—

- (1) a farewell entertainment of a substantially private and informal character held in honour of a member of the Service or any other Government servant on the occasion of his retirement or transfer or of any person who has recently quit service of Government; or
- (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.
- (2) No member of the Service shall exercise pressure of any sort on any Government servant to induce him to subscribe towards any farewell entertainment even if it is of a substantially private and informal character.

13. Private trade or employment.—(1) No member of the Service shall, except with the previous sanction of the Government, engage directly or indirectly in any trade or business or undertake any employment;

Provided that a member of the Service may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake, or shall discontinue, such work if so directed by the Government.

Explanation.—Canvassing by a member of the Service in support of the business of insurance agency or commission agency, owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.

(2) Every member of the Service shall, if any member of his family is engaged in a trade or business, or owns or manages an insurance agency or commission agency, report that fact to the Government.

(3) No member of the Service shall, without the previous sanction of the Government or except in the discharge of his official duties, take part in the registration, promotion or management of any Bank or other company registered under the Companies Act, 1956 or any other law for the time being in force, or any co-operative society the primary object of which is a commercial purpose;

Provided that a member of the Service may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Government servants or of a literary scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

Explanation.—In this sub-rule, “cooperative society” means a society registered, or deemed to be registered, under the Cooperative Societies Act, 1912 (2 of 1912) or any other law relating to cooperative societies for the time being in force in any State.

(4) No member of the Service shall accept any fee for any work done for any public body or for any private person without the sanction of the Government.

14. Investments, lending and borrowing.—(1) No member of the service shall speculate in any stock, share or other investments.

Explanation.—Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

(2) No member of the Service shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), it shall be referred to the Government for its decision.

(4) (i) No member of the service shall, save in the ordinary course of business with a bank or a public limited company, himself or through any member of his family or any person acting on his behalf,—

(a) lend or borrow or deposit money as a principal or agent, to, or from, or with, any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under pecuniary obligation to such person or firm; or

(b) lend money to any person at interest or in manner where by return in money or kind is charged or paid:

Provided that a member of the Service may give to, or accept from, a relative or a personal friend a purely temporary loan of small amount free of interest or operate a credit account with a bona fide tradesman or make an advance of pay to his private employee.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by a member of the Service with the previous sanction of the Government.

(ii) When a member of the Service is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the Government and shall thereafter act in accordance with such order as may be made by the Government.

15. Insolvency and habitual indebtedness.—(1) A member of the Service shall so manage his private affairs as to avoid habitual indebtedness or insolvency.

(2) A member of the Service against whom any legal proceeding is instituted for recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report the full facts of such legal proceeding to the Government.

(3) The burden of proving that indebtedness or insolvency is the result of circumstances which, with the exercise of ordinary diligence, the member of the Service could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, shall be upon him.

16. Movable, immovable and valuable property.—(1) Every person shall,—

(a) Where such person is a member of the Service at the commencement of these rules, before such date after such commencement as may be specified by the Government in this behalf or;

(b) where such person becomes a member of the Service after such commencement, on his first appointment to the service, and thereafter at such intervals as may be specified by the Government in this behalf, submit a return of his assets and liabilities in such form as may be specified by the Government.

(2) The return to be submitted under sub-rule (1) shall contain full particulars regarding—

(a) immovable property owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;

- (b) shares, debentures, Postal Cumulative time deposits and cash including bank deposits owned, acquired or inherited by him or held by him, either in his own name or in the name of any member of his family or in the name of any other person;
- (c) movable property other than those specified in clause (b);
- (d) debts and other liabilities incurred by him directly or indirectly.

NOTE.—In all returns the values of items of movable property, less than one thousand rupees in value, may be added and shown as a lump sum and the value of articles of daily use such as clothes, utensils, crockery and books needs not be included.

(3) No member of the Service shall, except with the previous knowledge of the Government,—

- (a) acquire any immovable property by lease, mortgage, purchase, gift or otherwise, either in his own name or in the name of any member of his family; or
- (b) dispose of by lease, mortgage, sale, gift or otherwise any immovable property owned by him or held by him either in his own name or in the name of any member of his family:

Provided that the previous sanction of the Government shall be obtained if any such transaction is—

- (i) with a person having official dealings with the member of the Service; or
- (ii) otherwise than through a regular or reputed dealer.

(4) A member of the Service shall report to the Government within one month from the date of every transaction entered into by him either in his own name or in the name of a member of his family in respect of movable property if the value of such property exceeds one thousand rupees:

Provided that the previous sanction of the Government shall be obtained if any such transaction is—

- (i) with a person having official dealings with the member of the Service; or
- (ii) otherwise than through a regular or reputed dealer.

(5) The Government or any authority empowered by it in this behalf may, at any time, by general or special order, require a member of the Service to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order and such statement shall if so required by the Government or by the authority so empowered, include details of the means by which, or the source from which, such property was acquired.

Explanation.—For the purposes of this rule, the expression 'movable property' includes inter alia the following property, namely:—

- (a) jewellery, insurance policies the annual premia of which exceeds one thousand rupees or one-sixth of the total annual emoluments received by the member of the Service from the Government, whichever is less, shares, securities and debentures;
- (b) loans advanced by or to such member of the Service, whether secured or not;
- (c) motor cars, motor cycles, horses, or any other means of conveyance; and
- (d) refrigerators, radios and radiograms.

17. **Vindication of acts and character of members of the Service.—**No member of the Service shall, except with the previous sanction of the Government, have recourse to any court or to the press for the vindication of any official act which

has been the subject matter of adverse criticism or any attack of a defamatory character.

Explanation.—Nothing in this rule shall be deemed to prohibit a member of the Service from vindicating his private character or any act done by him in his private capacity, provided that he shall submit a report to the Government regarding such action.

18. Convassing.—No member of the Service shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

19. Bigamous Marriages.—(1) No member of the Service shall enter into, or contract, a marriage with a person having a spouse living; and

(2) no member of the Service, having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the Government may permit a member of the Service to enter into or contract, nay such marriage as is referred to in clause (1) or clause (2), if it is satisfied that—

(a) such marriage is permissible under the personal law applicable to such member of the Service and the other party to the marriage; and

(b) there are other grounds for so doing.

20. Consumption of intoxicating drinks and drugs.—A member of the Service shall—

(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) take due care that the performance of his duties is not prejudiced or affected in any way by influence of such drinks or drugs;

(c) not appear in a public place in a state of intoxication;

(d) not habitually use such drinks or drugs to excess.

21. Interpretation.—If any doubt arises as to the interpretation of these rules, the Central Government shall decide the same.

22. Delegation of powers.—The Government may, by general or special order, direct that any power exercisable by it under these rules (except the power under rule 21 or the power under this rule) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

23. Cesser and saving.—The All-India Services (Conduct) Rules, 1954 (hereinafter referred to as the said rules), shall cease to be in force :

Provided that the cesser shall not affect—

(a) the previous operation of, or anything duly done or suffered under, the said rules; or

(b) any right, privilege, obligation or liability acquired accrued or incurred under the said rules; or

(c) any penalty or punishment incurred under the said rules; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed as if the said rules had not ceased to be in force.

New Delhi, the 19th December 1968

G.S.R. 4.—In exercise of the powers conferred by section 44 of the Arms Act, 1959 (54 of 1959), the Central Government hereby makes the following rules further to amend the Arms Rules, 1962, namely:—

1. (1) These rules may be called the Arms (Third Amendment) Rules, 1968.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Arms Rules, 1962,—

(1) in Schedule II,—

(i) against item 3(f), for the existing entry under column pertaining to 'Renewing authority', the following entry shall be substituted, namely:

"Same as licensing authority or any other authority empowered to grant a licence of the description."

(ii) against item 3(g), for the words "Head of the Indian Mission", occurring in the entry against item (ii) under column 5 pertaining to the 'Licensing authority', the words "Head of the Indian Mission or, in his absence, the Head of the Chancery" shall be substituted;

(2) in condition 13 of the list of conditions set out under Licence Form III, the following proviso shall be inserted, namely:—

"Provided that where a weapon is sold or transferred, the licensing authority may permit the holder of the licence to acquire a fresh weapon of the same description within such period as may be specified by him in this behalf and subject to—

(a) the production of the weapon so acquired or the licence or both before the aforesaid licensing authority for inspection as required under sub-rule (2) of rule 52, and

(b) the payment of the prescribed licence fee in respect of the weapon so acquired.";

(3) in condition 8 of the list of conditions set out under licence Form IV, the following proviso shall be inserted, namely:—

"Provided that where a weapon is sold or transferred, the licensing authority may permit the holder of the licence to acquire a fresh weapon of the same description within such period as may be specified by him in this behalf and subject to:—

(a) the production of the weapon so acquired or the licence or both before the aforesaid licensing authority for inspection as required under sub-rule (2) of rule 52, and

(b) the payment of the prescribed licence fee in respect of the weapon so acquired.";

(4) in condition 9 of the list of conditions set out under Licence Form V, the following proviso shall be inserted, namely:—

"Provided that where a weapon is sold or transferred, the licensing authority may permit the holder of the licence to acquire a fresh weapon of the same description within such period as may be specified by him in this behalf and subject to—

(a) the production of the weapon so acquired or the licence or both before the aforesaid licensing authority for inspection as required under sub-rule (2) of rule 52, and

(b) the payment of the prescribed licence fee in respect of the weapon so acquired."

गृह मंत्रालय
नई दिल्ली 29 दिसम्बर, 1968

जी० एस० आर० 5.—आयुध अधिनियम 1959 (1959 का 54) की धारा 44 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार आयुष्म नियम, 1962 में और संशोधन करने के लिए एतद् द्वारा निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) ये नियम आयुध (तृतीय संशोधन) नियम, 1968 कहे जा सकेंगे।
(2) ये शासकीय राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त हो जायेंगे।

2. आयुष्म नियम, 1962 में,—

(1) अनुसूची 2 में,—

(i) मद 3(च) के सामने, 'नवीकरण प्राधिकारी' से सम्बन्धित स्तम्भ के नीचे विचारान प्रविष्टि के लिए निम्नलिखित प्रावाण्ड प्रातिस्पांपन की जाएगी, अर्थात् :—

“वही जो अनुशापन प्राधिकारी हो या उस प्रकार की अनुज्ञित मंजूर करने के लिए सभक्त कोई अन्य प्राधिकारी।”

(ii) मद 3 (इ) में “अनुशापन प्राधिकारी” से सम्बन्धित स्तम्भ 5 के नीचे मद (ii) के सामने की प्रविष्टि में आये हुए “भारतीय मिशन का अध्यक्ष” शब्दों के सिए “भारतीय मिशन का अध्यक्ष या उसकी अनुपस्थिति में चांसरी का अध्यक्ष” शब्द प्रतिस्थापित किये जायेंगे ;

(3) अनुज्ञित प्रकृत 3 में उपवर्णित शर्तों की सूची की शर्त 13 में, निम्नलिखित परन्तुक अन्तःस्थापित किया जाएगा, अर्थात् :—

“परन्तु जहाँ कि शस्त्र का विक्रय या अन्तरण किया गया हो वहाँ अनुशापन प्राधिकारी अनुज्ञित के धारक को उसी प्रकार का नया अन्तःस्थापित विनियोग की भीतर, जो उसके द्वारा इस निमित विनियोग की जाए तथा इस बात के अध्यारीन रही हुए अर्जित करने की अनुमति दे सकेगा कि —

(क) ऐस अर्जित शस्त्र या अनुज्ञित या दोनों को नियम 52 के उपनियम (2) के अधीन यथा अपेक्षित निरोक्षण के लिये पूर्वेक्षण अनुशापन प्राधिकारी के समझ पेश किया जाए, तथा

(ख) इस प्रकार अर्जित शस्त्र के लिए विशेष अनुज्ञापन फॉर्म दा जाए ;”

(3) अनुज्ञित प्रकृत 4 में उपवर्णित शर्तों की सूची की शर्त 8 में निम्नलिखित परन्तुक अन्तःस्थापित किया जाएगा, अर्थात् :—

“परन्तु जहाँ कि शस्त्र का विक्रय या अन्तरण किया गया हो वहाँ अनुशापन प्राधिकारी अनुज्ञित के धारक को उसी प्रकार का नया शस्त्र ऐसी कालावधि के भीतर, जो

उसके द्वारा इस निमित विनिदिष्ट की जाए तथा इस बात के अध्यधीन रहते हुए अंजित करने की अनुमति दे सकेगा कि —

(क) ऐसे अंजित शस्त्र या अनुजप्ति या दोनों को नियम 52 के उपनियम (2) के अधीन यदा अपेक्षित निरीक्षण के लिए पूर्वोक्त अनुजापन प्राधिकारी के समझ पेश किया जाए, तथा

(ख) इस प्रकार अंजित शस्त्र के लिए विहित अनुजप्ति फीस दी जाए।”

(4) अनुजप्ति प्रस्तुप 5 में उपवर्गित घरों की सूची की शर्तें 1 में निम्नलिखित प्रस्तुत अन्तःस्थापित किया जाएगा, अर्थात् :—

“प्रस्तुत जहाँ कि शस्त्र का विक्रय या अन्तरगत किया गया हो वहाँ अनुजापन प्राधिकारी अनुजप्ति के धारक को उसी प्रकार का नया शस्त्र ऐसी कालावधि के भीतर, जो उसके द्वारा इस निमित विनिदिष्ट की जाए तथा इस बात के अध्यधीन रहते हुए अंजित करने की अनुमति दे सकेगा कि —

(क) ऐसे अंजित शस्त्र या अनुजप्ति या दोनों को नियम 52 के उपनियम (2) के अधीन यदा अपेक्षित निरीक्षण के लिये पूर्वोक्त अनुजापन प्राधिकारी के समझ पेश किया जाए, तथा

(ख) इस प्रकार अंजित शस्त्र के लिए विहित अनुजप्ति फीस दी जाए।”

[सं. फ० 21/8/68-पुलिस 4.]

डॉ. डी० जोशी,
उप सचिव ।

ORDERS

New Delhi, the 27th December 1968

G.S.R. 6.—In pursuance of clause 22 of article 366 of the Constitution of India, the President is hereby pleased to recognise His Highness Maharaja Pradeep Chandra Bhanj Deo as the Ruler of Mayurbhanj with effect from 16th July, 1968 in succession to His late Highness Maharaja Sir Pratap Chandra Bhanja Deo.

[No. F. 8/5/68-Poll III.]

G.S.R. 7.—In pursuance of clause 22 of article 366 of the Constitution of India, the President is hereby pleased to recognise His Highness Raja Govind Singh as the Ruler of Malhar with effect from 13th October, 1968 in succession to His late Highness Raja Sir Brijnath Singh.

[No. F. 5/31/68-Poll. III.]

L. P. SINGH, Secy

गृह मंत्रालय

नई दिल्ली, 27 दिसम्बर, 1968

आदेश

जो० एस० आर० 8.—भारत के संविधान के अनुच्छेद 366 की धारा (22) के अनुसार राष्ट्रपति जो इस ग्रांदेश के द्वारा महाराजाधिराज महाराजा प्रदोप चन्द्र भंज देव को 16 जुलाई, 1968 से स्वर्णीय महाराजाधिराज महाराजा सर प्रताप चन्द्र भंग देव जो के स्थान पर मयूर भंज के शासक के रूप में सहर्ष माम्यता प्रदान करते हैं।

[सं० 8/5/68—पोलिटिकल-3]

जो० एस० आर० 9.—भारत के संविधान के अनुच्छेद 366 की धारा (22) के अनुसार राष्ट्रपति जो इस ग्रांदेश के द्वारा महाराजाधिराज राजा गोविन्दसिंह को 13 अक्टूबर, 1968 से स्वर्णीय महाराजाधिराज राजा सर बृजनाथ सिंह जो के स्थान पर मैहर के शासक के रूप में सहर्ष माम्यता प्रदान करते हैं।

[सं० 5/31/68—पुलिटिकल-3.]

ल० प्र० सिंह, सचिव।

MINISTRY OF TRANSPORT AND SHIPPING

(Transport Wing)

New Delhi, the 27th December 1968

G.S.R. 10.—In exercise of the powers conferred by sub-section (1) of section 122 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following rules to amend the Paradip Port Trust (Procedure at Board Meetings) Rules, 1967, the same having been previously published as required by sub-section (2) of the said section, namely:—

Rules

1. (1) These rules may be called the Paradip Port Trust (Procedure at Board Meetings) Amendment Rules, 1968.

(2) They shall come into force at once.

2. In rule 5 of the Paradip Port Trust (Procedure at Board Meetings) Rules 1967, for the words 'including a special meeting', the words 'except a special meeting' shall be substituted.

[No. 11-PG(40)67.]

K. L. GUPTA, Under Secy.

(Transport Wing)

New Delhi, the 28th December 1968

G.S.R. 11.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Directorate General of Shipping (Class I and Class II Non-Technical Posts) Recruitment Rules, 1966, namely:—

1. (1) These rules may be called the Directorate General of Shipping (Class I and Class II Non-Technical Posts) Second Amendment Rules, 1968;

(2) They shall be deemed to have come into force on the 7th August, 1968.

2. In the Directorate General of Shipping (Class I and Class II Non-Technical Posts) Recruitment Rules, 1966, in the Schedule, for the item "2-Additional Direc-

tor General of Shipping" in column 1 and the entry relating thereto in Column 4, the following item and entry shall be substituted, namely:—

Column 1

"2. Deputy Director General of Shipping (Senior)."

Column 4

"Rs. 1800—100—2000."

[No. F. 1-MA(10)/64.]

K. V. SANKARAN, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

(Department of Works and Housing)

(Works Division)

New Delhi, the 17th December 1968

G.S.R. 12.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Pondicherry Public Works Department (Gazetted Posts) Recruitment Rules, 1967, namely:—

1. (1) These rules may be called the Pondicherry Public Works Department (Gazetted Posts) Recruitment (Amendment) Rules 1968.

(2) They shall come into force on the date of their publication in the Official Gazette..

2. In the Pondicherry Public Works Department (Gazetted Posts) Recruitment Rules 1967, after rule 4 the following rule shall be inserted namely:—

"4A. Liability to serve in Defence Service or posts connected with the Defence of India:

Any person appointed to the post of Executive Engineer in the Public Works Department, Pondicherry shall, if so required, be liable to serve in any Defence Service or post connected with the Defence of India for a period of not less than four years including the period spent on training, if any:

Provided that such person:

- (a) shall not be required to serve as aforesaid after the expiry of 10 years from the date of appointment;
- (b) shall not ordinarily be required to serve as aforesaid after attaining the age of forty years.

[File No. 25016(2)/-EW/65.]

T. K. RAMASWAMI, Under Secy.

**MINISTRY OF HEALTH, FAMILY PLANNING
AND URBAN DEVELOPMENT**

(Department of Family Planning)

New Delhi, the 20th December 1968

G.S.R. 13—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Department of Family Planning (Sub-Editor) Recruitment Rules, 1968, namely:—

(i) These rules may be called the Department of Family Planning (Sub-Editor) Recruitment (Amendment) Rules, 1968.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Department of Family Planning (Sub-Editor) Recruitment Rules, 1968:

- (a) in the entry in column 3, for the word and figure "Class III", the word and figure "Class II", shall be substituted;
- (b) in the entries in column 7, under the sub-heading "Essential", in item (ii) for the words "or standing" the words "of Standing" shall be substituted.

[No. 2/1(11)/68 Estt L]

RAMESH BAHADUR, Under Secy.

(Department of Health)

New Delhi, the 20th December 1968

G.S.R. 14.—The following draft of rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government proposes to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), is published, as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th March 1969.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government:—

Draft Rules

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1968.

In the Drugs and Cosmetics Rules, 1945,

(a) for rule 6 the following rule shall be substituted, namely:—

"6. Report of result of test or analysis.—After test or analysis, the result of the test or analysis together with full protocols of the tests applied, shall be supplied to the sender, within three months of the receipt of the sample, in Form 2."

(b) in rule 46 for the sentence "After the test or analysis has been completed, he shall forthwith supply to the Inspector a report in triplicate in Form 13 of the results of the test or analysis, together with full protocols of the tests or analysis applied" the following shall be substituted, namely:—

"He shall thereafter complete the test or analysis and shall supply to the Inspector, within three months of the receipt of the sample a report in triplicate in Form 13 of the result of the test or analysis, together with full protocols of the tests or analysis applied."

(c) In rule 47, after the words and figure "(to the application) Form 14-B", the following shall be added, namely:—"within three months of the receipt of the sample."

[No. F. 1-20/68-D.]

L. K. MURTHY, Under Secy.

(Department of Health and Urban Development)

New Delhi, the 23rd December 1968

G.S.R. 15—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment of persons to the Technical posts (Class II Non-Gazetted Non-Ministerial) in the Town and Country Planning Organisation, New Delhi, namely:

1. Short title.—(1) These rules may be called Technical posts in the Town and Country Planning Organisation, New Delhi (Class II Non-Gazetted Non-Ministerial) Recruitment Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.

3. Number of posts, classification and scale of pay.—The number of posts, its classification and the scale of pay attached thereto shall be specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age-limit, qualifications, etc.—The method of recruitment, age-limit, qualifications and other matters connected therewith shall be specified in columns 5 to 13 of the Schedule aforesaid:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the general orders of the Central Government issued from time to time.

5. Disqualifications.—(1) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the post.

(3) The Central Government may, if satisfied that there are special grounds for living at the time of such marriage or who has married a person, who has a wife living at the time of such marriage, shall be eligible for appointment to the post.

(3) The Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

6. Power to relax—Where the Central Government is of opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission relax any of the provisions of these rules in respect of any class or category of persons

SOME-

Name of post	No. of posts	Classification	Scale of Pay	Whether selection Post or Non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Rs.						
Senior Modeller	1	General Central Service Class II Non-Gazetted Non-Ministerial	325—15— 475—EB— 20—575	Selection	35 years and below (Relaxable for Government servants.)	<i>Essential :</i> (i) Degree or equivalent Diploma in Commercial Art or Modelling of a recognised University Institution. (ii) About 3 years' practical experience in fabrication of models in clay wood, metal, plaster etc. (in a well established model manufacturing firm or a technical workshop, or a display agency) or in a Town Planning/Architectural Office. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.)

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Whether age and Period of probation Method of recruitment In case of recruitment by promotion/depu- If a D.P.C. Circumstances educational qualifications prescribed if any whether by promotion/depu- exists what in which UPSC for direct recruits direct recruit- tation/transfer is its compo- is to be consul will apply in the ment or by grades from sition to be made ted in making case of promotees promotion or which promotion/ recruitment by deputation/ deputation/trans- transfer and for be made percentage of the vacancies to be filled by various methods

8

9

10

11

12

13

Age :	No	Two years	By promotion failing which	Promotion :	Class II	As required
Educational Qualifications :			by direct recruitment.	Modeller with 5 years' service in	Departmental Promotion Committee.	under the rules.
To the extent indicated in Column 11.				the grade and possessing at least Certificate in Art/Modelling.		

[No. 16021(12)/67-UD.]

GIAN PRAKASH, Jt. Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 18th December 1968

G.S.R. 16.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Information Service Rules, 1960, namely:—

1. (1) These rules may be called the Central Information Service (11th Amendment) Rules, 1968.
- (2) They shall be deemed to have come into force on the 1st day of July, 1968.

2. In the Central Information Service Rules, 1959, in Schedule VI,—

- (1) under the heading, "A-Junior Scale", the entry "Dte. of Field Publicity" under the column "Name of Office" and the corresponding entry "Director" under the column "Designation of posts" shall be omitted.
- (2) under the heading, "B-Senior Scale", after the entry relating to the office "Publications Division," and the entries relating thereto the following entries shall be added, namely:—

Name of Office	Designation of Post
"Directorate of Field Publicity"	"Director"

[No. F. 1/16/68-CIS Amendment No. 49.]

New Delhi, the 19th December 1968

G.S.R. 17.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Films Division (Class I and Class II posts) Recruitment Rules, 1963, namely:—

1. (1) These rules may be called the Films Division (Class I and Class II posts) Recruitment (Second Amendment) Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Films Division (Class I and Class II posts) Recruitment Rules, 1963, for Serial Numbers 35, 36 and 37 and the entries relating thereto, the following shall be substituted, namely:—

SCHIE-						
1	2	3	4	5	6	7
				Rs.		
35	Stores Officer	1	General Central Service Class II Gazetted Non- Ministerial	450—25—575	Selection	Not applicable
36	Superintendent	3	General Central Service Class II (Non Gazetted) Ministerial	Do.	Do.	Do.
37	Chief Accountant	1	Do.	425—25— 575	Do.	Do.

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8	9	10	11	12
Not applicable	Not applicable	Promotion	<i>Promotion</i> (i) Technical Assistants (ii) Head Clerks (iii) Accountants	Class II Departmental Promotion Committee
			With 5 years' regular service in the respective grades and who have either passed the departmental examination or have been exempted therefrom.	
Do.	Do.	Do.	Do.	Do.
Do.	Do.	Do.	Do.	Do.

[No. 3/3/68-F(A)]

BANU RAM AGGARWAL, Under Secy.

MINISTRY OF FINANCE
(Department of Expenditure)

New Delhi, the 26th December 1968

G.S.R. 18.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Fundamental Rules, namely:—

1. These rules may be called the Fundamental (Seventh Amendment) Rules, 1968.

2. In the Fundamental Rules, in sub-rule (a) of rule 86,—

(i) in the proviso, after the words and figures "the age of 58 years", the words, figures, brackets and letters "or 60 years if he is governed by clause (b) or clause (c) or clause (e), as the case may be, or rule 56" shall be inserted;

(ii) after the proviso, the following further proviso shall be inserted, namely:—

"Provided further that every Government servant:—

(a) who, after having been under suspension, is reinstated within six months preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for, subject to a maximum of six months reduced by the period between the date of reinstatement and the date of compulsory retirement;

(b) who retired from service on attaining the age of compulsory retirement while under suspension and was prevented from applying for leave preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to this credit subject to a maximum of six months, after the termination of proceedings, as if it had been refused as aforesaid if, in the opinion of the authority competent to order reinstatement he has been fully exonerated and the suspension was wholly unjustified."

[No. F. 5(7)-EIV(A)/68-I.]

G.S.R. 19.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Revised Leave Rules, 1933, namely:—

1. These rules may be called the Revised Leave Rules (Fourth Amendment) Rules, 1968.

2. In the Revised Leave Rules, in rule 7,—

(i) after the first proviso to sub-rule (1), the following further proviso shall be inserted, namely:—

"Provided further that every Government servant:—

(a) who, after having been under suspension, is reinstated within 120 days or 180 days, as the case may be, preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for, subject to a maximum of 120 days or 180 days, as the case may be, reduced by the period between the date of reinstatement and the date of compulsory retirement;

(b) who retired from service on attaining the age of compulsory retirement while under suspension and was prevented from applying for leave

preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to his credit subject to a maximum of 120 days or 180 days, as the case may be, after the termination of proceedings, as prescribed in rule 9, as if it had been refused as aforesaid if, in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified."

(ii) in sub-rule (2), after the words and figures "the age of 58 years", the words, figures, brackets and letters "or 60 years if he is governed by clause (b) or clause (c) or clause (e), as the case may be, of rule 56 of the Fundamental Rules", shall be inserted.

[No. F. 5(7)-EIV(A)/68-II.]

S. P. MAHNA, Dy. Secy.

(Department of Revenue and Insurance)

CENTRAL EXCISES

New Delhi, the 4th January 1969

G.S.R. 20.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944 read with sub-section (3) of section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957), and in continuation of the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. 101/67-Central Excises dated the 26th May, 1967, the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts, subject to the same terms and conditions as are specified in the said notification, Sugar, Glycerine, Patent or Proprietary Medicines and Rubber Products, and further directs that the following amendment shall be made in the said notification, namely:—

In the Appendix to the said notification after serial number 23 and the entries relating thereto, the following shall be added, namely:—

"24.	1	Sugar
25.	14-C	Glycerine
26.	14-E	Patent or Proprietary Medicines.
27.	16-A	Rubber Products."

[No. 1/69.]

K. L. REKHI, Under Secy.

(Department of Revenue and Insurance)

CUSTOMS

New Delhi, the 4th January 1969

G.S.R. 21.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts gifts or free samples—

- (1) of all goods other than block mica, skins of reptiles and wild animals; and

(ii) of block mica and of skins of reptiles and wild animals the value of which does not exceed Rs. 50,

when exported by air from India, from the whole of the duty of customs leviable thereon under the Second Schedule to the Indian Tariff Act, 1934 (32 of 1934).

[No. 1/69-Customs-F. No. 6/47/68-Cus. I.]

M. G. ABROL, Jt. Secy.

(Department of Revenue and Insurance)

CORRIGENDUM

CENTRAL EXCISES

New Delhi, the 4th January 1969

G.S.R. 22.—In item No. II 2 of G.S.R.—1159, dated the 14th August, 1905 published at page 1205 in Part II, Section 3, Sub-section (i) of the Gazette of India :

For the figures and letter—"92—F" Read—"92—E"

[No. 2/69.]

P. R. KRISHNAN, Under Secy

MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 23rd December 1968

G.S.R. 23.—In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following rules regulating the method of recruitment to the post of Draughtsman in the Department of Company Affairs, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Department of Company Affairs (Draughtsman) Recruitment Rules, 1968.

(2) These rules shall come into force from the date of their publication in the official Gazette.

2. **Application.**—These rules shall apply for recruitment to the post specified in column 1 of the Schedule hereto annexed.

3. **Number, Classification and Scale of Pay.**—The number of post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule

4. **Method of recruitment, Age limit and other qualifications:**—The method of recruitment to the said post, age limit and other matters relating thereto shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that the age limit specified in column 6 may be relaxed in the case of a candidate belonging to the Scheduled Castes, Scheduled Tribes or displaced persons and other special categories of persons in accordance with the orders issued by the Government of India from time to time.

5. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the post; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to the said post.

Provided that the Central Government may, if satisfied, that there are special grounds for so ordering exempt any person from the operation of this rule.

6. Power to relax.—Where the Central Government is of opinion that it is necessary or expedient so to do it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect of any class or category of persons.

Recruitment for the post of Draughtsman in the Ministry of Industrial Development and Company Affairs, Department of Company Affairs.

Name of post	No. of posts	Classification	Scale of pay	Whether selection for direct post or recrt. non-selection post	Age for selection for direct post	Educational & other qualifications required for direct recrt.	Whether age & educational qualification, if any prescribed for direct recrt. will apply in the case of promotees/transferees	Period of probation, if any	Method of recrt. whether by direct recrt. or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recrt. by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made.	If a DPC exists what is its composition.	Circumstances in which UPSC is to be consulted in making recrt.
1	2	3	4	5	6	7	8	9	10	11	12	13
Draughtsman	One	General Central Service, Class III	Rs.150-5 -175-6- 205-EB- 7-240	N.A.	25 yrs. and below	<i>Essential</i> 1. Matriculation Examination. 2. Training in Draughtsmanship from a recognised Institution.	N.A.	Two years.	By Transfer/deputation failing which by direct recruitment.	Transfer/deputation of qualified persons holding similar or equivalent posts in Central Govt. Departments (Period of deputation—not exceeding 2 years).	N.A.	N.A.

in an office of
recognised ar-
chitect.

(ii) Experience
in a Statistical
office.

[F. No. 1/57/68-A & I.]

C. R. D. MENON, Under Secy.

MINISTRY OF COMMERCE

New Delhi, the 18th December 1968

G.S.R. 24.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Central Government hereby makes the following rules to regulate appointment to the post of Artist (Senior) in the Civil Supplies Organisation, Ministry of Commerce, namely:—

1. Short title & commencement.—(1) these rules may be called the Artist (Senior) (Civil Supplies Organisation, Ministry of Commerce) Recruitment Rules, 1968.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. Application.—These rules shall apply to the post of Artist (Senior) in the Civil Supplies Organisation, Ministry of Commerce, specified in column 1 of the Schedule hereto annexed

3. Number of post, its classification and Scale of pay.—The number of the said post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age limit and other qualification.—The method of recruitment to the said post, age limit, qualifications and other matters relating thereto, shall be as specified in columns 5 to 13 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes and other special categories of persons, in accordance with the general orders of the Central Government issued from time to time.

5. Disqualification.—(a) No person who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the said post ; and

(b) no women whose marriage is void by reason of her husband having a wife living at the time of such marriage, or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said post :

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

6. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons/the post.

SCHE-

Name of the post	No. of posts	Classification	Scale of Pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Rs.						
Artist (Senior)	One	General Central Service Class II (Non-Gazetted) Non ministerial	370—20— 450—25— 575	Not applicable	30 years and below (i) Degree or equivalent (Relaxable for Government Servants)	<i>Essential :</i> (i) Degree or equivalent diploma in Fine Arts/Commercial Art of a recognised University/Institution. (ii) About three years' practical experience of Commercial Art including experience of preparation of designs and lay-outs of posters and pamphlets in an advertising agency or firm of standing or Government Department or Institution. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).
						<i>Desirable :</i> (i) Experience of photographic work. (ii) Experience of offset and letter press printing.

DULE

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotedes

Period of probation, if any

Method of recruitment, whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods

In case of recruitment by promotion/transfer, what is the grades from which promotion/deputation/trans-fer to be made

If a D.P.C. exists, what is its composition/compositio-n

Circumstances in which U.P.S.C. is to be consulted in making recruitment

8

9

10

11

12

13

Not applicable	2 years	Direct recruitment	Not applicable	Not applicable	As required under the Union Public Service (Exemption from consultation) Regulations, 1958.
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[F. No. 2/3/68-EII]

T. S. PARAMESWARAN, Under Secy.

(CARDAMOM CONTROL)

New Delhi, the 24th December 1968

G.S.R. 25.—The Cardamom Rules, 1966 made under section 33 of the Cardamom Act, 1965 (42 of 1965), incorporating all the amendments, are hereby republished for general information.

CHAPTER I

PRELIMINARY

1. **Short title.**—These rules may be called the Cardamom Rules, 1966.
2. **Definitions.**—In these rules, unless the context otherwise requires—
 - (a) "Act" means the Cardamom Act, 1965 (42 of 1965);
 - (b) "Committee" means any of the Committees appointed by the Board under section 8;
 - (c) "member" means a member of the Board;
 - (d) "Secretary" means the Secretary to the Board;
 - (e) "section" means a section of the Act;
 - (f) "Vice-Chairman" means the Vice-Chairman of the Board;
 - (g) "year" means the year as defined in the Act except for the purpose of preparing a budget out of the Cardamom Fund of the Board in which case year shall mean the financial year.

CHAPTER II

THE BOARD AND ITS COMMITTEES

3. **Constitution of the Board.**—(1) The Board shall consist of a Chairman, the members specified in clauses (b), (c) and (d) of sub-section (3) of section 4 and fifteen other members representing other interests specified in sub-rule (2).
 - (2) Of the aforesaid fifteen members,—
 - (a) three members shall represent the principal cardamom growing States, one representing each of the States of Kerala, Madras and Mysore, to be appointed in consultation with the respective State Government;
 - (b) six members shall represent the cardamom growing interests in the three principal cardamom growing States of Kerala, Madras and Mysore; of these six, not less than three shall represent the registered owners owning land planted with cardamom plants the area of which is less than twenty acres whether such land is comprised in one estate or more;
 - (c) two members shall represent the cardamom trade interests of which one at least shall be from the State of Maharashtra;
 - (d) two members shall represent the interests of labour;
 - (e) one member shall represent the consumers; and
 - (f) one member shall represent such other persons or class of persons as in the opinion of the Central Government ought to be represented on the Board.
 - (3) The Central Government may make such consultations as it may think fit before appointing the representatives of the interests specified in clauses (b) to (f) of sub-rule (2).
4. **Appointment of Committees.**—(1) The Board may appoint every year the following Committee, namely:—
 - (a) **Executive Committee.**—An Executive Committee consisting of—
 - (i) the Chairman who shall be the *ex-officio* Chairman of the Committee;
 - (ii) the Vice-Chairman;

(a) **Executive Committee.**—An Executive Committee consisting of—

- (i) the Chairman who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Vice-Chairman;

- (iii) the Director;
- (iv) one of the three members representing the Governments of Kerala, Madras and Mysore, sitting on the Committee by rotation for one year beginning with the representative of the Government of Kerala;
- (v) the member representing the Ministry of Finance of the Central Government; and
- (vi) one other member to be elected by the members of the Board from amongst the members representing the cardamom growing interests.

(2) The Committees shall function for a period of twelve months or until such time that these are reconstituted.

(b) **Research and Development Committee.**—A Research and Development Committee consisting of—

- (i) the Chairman, who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Vice-Chairman;
- (iii) the Director;
- (iv) the three members representing the Governments of Kerala, Madras and Mysore;
- (v) the member representing the Ministry of the Central Government dealing with agriculture; and
- (vi) two members to be elected by the members of the Board from amongst the members representing the cardamom-growing interests.

(c) **Propaganda Committee.**—A Propaganda Committee consisting of—

- (i) the Chairman, who shall be the *ex-officio* Chairman of the Committee;
- (ii) the Director;
- (iii) the member representing the Ministry of the Central Government dealing with commerce;
- (iv) the two members representing the cardamom trade interests; and
- (v) two other members to be elected by the members of the Board in such manner as may be laid down by the Board.

(d) **Labour Welfare Committee.**—A Labour Welfare Committee consisting of—

- (i) the Chairman, who shall be the *ex-officio* Chairman of the Committee;
- (ii) the three members representing the Government of Kerala, Mysore and Madras;
- (iii) the member representing the Ministry of Finance of the Central Government;
- (iv) two representatives of labour; and
- (v) two members to be elected by the members of the Board from amongst the members representing the cardamom-growing interests.”;

5. Term of office of members.—(1) Save as hereinafter provided, a member shall hold office for such period not exceeding three years as may be specified in the notification appointing him and shall be eligible for re-appointment:

Provided that a member elected or appointed under clauses (c), (d) or (e) of sub-section (3) of section 4 shall cease to be a member if he ceases—

- (i) to be a member of the House of Parliament by which he was elected;
or
- (ii) to hold the office by virtue of which he was appointed; or
- (iii) to represent the category from which he was appointed.

(2) A member elected or appointed to fill a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

6. Membership roll.—The Secretary shall keep a record of the names of members and their addresses.

7. Change of address.—A member shall keep the Secretary informed of any change in his address. If he fails to inform the change of address, the address in the official records shall for all purposes be deemed to be his address.

8. Resignation.—(1) A member of the Board or of a Committee may resign his office by a letter addressed to the Secretary.

(2) The office of a member of the Board or of a Committee shall fall vacant from the date on which his resignation is accepted by the Chairman of the Board or of the Committee, as the case may be, or on the expiry of thirty days from the date of receipt of intimation of resignation whichever is earlier.

9. Removal of members.—The Central Government may remove any member from his office:—

- (a) if he is of unsound mind and stands so declared by a competent court; or
- (b) if he becomes bankrupt or insolvent or suspends payment of his debts or compounds with his creditors; or
- (c) if he is convicted of an offence involving moral turpitude; or
- (d) if he absents himself from two consecutive meetings of the Board without the leave of the Chairman, and in any case from three consecutive meetings; or
- (e) if he defaults in payment of any dues to the Board, and is so declared by the Board.

10. Absence from India.—(1) Before a member departs from India—

- (a) he shall intimate the Secretary the date of his departure from, and the date of his expected return to, India; and
- (b) if he intends to be absent from India for a period longer than six months, he shall tender his resignation.

(2) If a member leaves India without fulfilling the conditions specified in sub-rule (1), he shall be deemed to have resigned his office with effect from the date of his departure from India.

11. Vice-Chairman.—(1) The Board shall elect, in each year from amongst its members, a Vice-Chairman for a period of twelve months commencing from the date of his election or, if the election is held before the expiry of the term of office of an existing Vice-Chairman, from the date on which such Vice-Chairman vacates his office.

(2) In the event of the Vice-Chairman resigning his office as such or ceasing to be a member under any of the provisions of these rules, the Board shall at its next meeting elect another member to be Vice-Chairman for the unexpired portion of the term of office of the Vice-Chairman elected under sub-rule (1).

(3) If, however, the election is not held within a period of twelve months, the existing Vice-Chairman shall continue to hold office till the election is held.

12. Functions of the Committees.—

(a) **Executive Committee.**—Subject to such restrictions as may be imposed by the Board, the Executive Committee shall, in addition to such functions as have been specifically assigned to it under these rules, discharge any other functions of the Board in regard to matters not specifically assigned hereunder to the Research and Development Committee or the Propaganda Committee.

(b) **Research and Development Committee.**—Subject to such restrictions as may be imposed by the Board, the Research and Development Committee shall discharge all the functions of the Board in regard to the promotion of agricultural and technological research in the interests of the cardamom industry in India and in regard to measures that may be undertaken for the development of cardamom estates in India.

(c) **Propaganda Committee.**—Subject to such restrictions as may be imposed by the Board, the Propaganda Committee shall discharge all the functions of the Board in regard to such measures as may

be undertaken for promoting the sale and increasing the consumption in India and elsewhere of cardamom produced in India.

CHAPTER III

PROCEDURE FOR MEETINGS OF THE BOARD AND ITS COMMITTEES

13. Meeting of the Board.—There shall be not less than two ordinary meetings of the Board in a year on such dates and at such places as the Chairman may think fit and the interval between any two ordinary meetings shall not, in any case, be longer than eight months.

14. Power to call meetings.—(1) The Chairman may, at any time, call a meeting of the Board or of any of the Committees, and shall do so if a requisition for a meeting is presented to him in writing by at least eight members in the case of a meeting of the Board and half the total number of members in the case of a meeting of a Committee.

(2) The Chairman may require any officer of the Board or invite any person or persons to attend any meeting of the Board or of any of the Committees, but such officer or person or persons shall not have the power to vote.

(3) At least fourteen clear days before any meeting of the Board and at least ten clear days before a meeting of any of the Committees, notice of the time and place of the intended meeting signed by the Secretary shall be sent to the Central Government and left at or posted to the address of every member of the Board or, as the case may be, of the Committee:

Provided that in cases of urgency, a special meeting of the Board or of any or more of the Committees may be summoned at any time by the Chairman, who shall inform in advance, the Central Government and the members, of the subject matter for discussion and the reasons for which he considers the summoning of such meeting urgent. No ordinary business shall be transacted at such special meetings.

(4) Notwithstanding anything contained in this rule, the Central Government may also, at any time, call a meeting of the Board.

15. Quorum.—(1) No business shall be transacted at a meeting of the Board unless there are present at least eight members and no business shall be transacted at a meeting of a Committee unless there are present a majority of the members constituting the Committee.

(2) If at any time the number of members present in a meeting of any of the Committees is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than three days from the date of the meeting informing the members of the Committee of the date, time and place of the adjourned meeting; and it shall thereupon be lawful for him to dispose of, at such adjourned meeting, the business intended to be transacted at the original meeting, irrespective of the number of members for the time being present.

16. Absence from meetings of a Committee.—Any member of a Committee absenting himself from two consecutive meetings of such Committee without the leave of the Chairman, and in any case, from three consecutive meetings, shall cease to be a member of that Committee.

17. Filling of casual vacancies.—(1) Any casual vacancy in the membership of a Committee shall be filled by the remaining members of the Committee from amongst the members of the Board.

(2) A person appointed in a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

18. Presiding over meetings.—At every meeting of the Board or of any of the Committees at which he is present, the Chairman shall preside and, in his absence—

(i) at a meeting of the Board, the Vice-Chairman shall preside; and

(ii) at a meeting of the Committee, the Vice-Chairman, if he is a member of that Committee, shall preside,

but if both the Chairman and the Vice-Chairman are absent, the members present at the meeting shall elect one from among themselves to preside at the meeting.

19. Agenda.—(1) The Chairman shall cause to be prepared and circulated to the Central Government and among the members of the Board or of any of the Committees at least ten days before an ordinary meeting of the Board or of such Committee, a list of business to be transacted at that meeting.

(2) No business not included in the agenda shall be transacted without the permission of the Chairman.

20. Business by circulation.—(1) Any business which is to be transacted by the Board or a Committee may, if the Chairman so directs, be referred to members (other than members who are absent from India) by circulation of papers, and copies of all papers so circulated shall be sent to the Central Government.

(2) Any proposal or resolution circulated under sub-rule (1) and approved by the majority of members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members at a meeting.

Provided that at least eight members of the Board or a majority of the members of the Committee, as the case may be, have recorded their views on the proposal or resolution:

Provided further that when a proposal or resolution is referred to the members by circulation, any five members of the Board or three members of any of the Committees, as the case may be, may require that the proposal or resolution be referred to members at a meeting, and thereupon such reference shall be made to members at a meeting of the Board or of the Committee, as the case may be.

(3) When any business is referred to members of the Board or of the Committee, as the case may be, by circulation, a period of not less than ten clear days shall be allowed for receipt of replies from members. Such period shall be reckoned from the date on which the notice of business is issued.

(4) If a proposal or resolution is circulated, the result of the circulation shall be communicated to all the members of the Board or of the Committee concerned, as the case may be, and to the Central Government.

(5) All decisions on question arrived at by circulation of papers shall be placed at the next meeting of the Board for record.

21. Record of business.—(1) A record shall be maintained by the Secretary, of all items of business transacted by the Board or by the Committees and copies of such record shall be forwarded to the Central Government.

(2) The record of business transacted at every meeting of the Board and of any of the Committees shall be signed by the Chairman or the Vice-Chairman or the member presiding at such meetings.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman.

22. Voting.—(1) Every question brought before any meeting of the Board or its Committees shall be decided by a majority of members present and voting at the meeting before which the matter is brought.

(2) In the case of an equality of votes, the Chairman or the Vice-Chairman or the member presiding over the meeting shall have a second or casting vote.

23. Revision.—(1) The Central Government may, for reasons to be recorded in writing, review any decision of the Board, or its Committees and pass such order in the matter as it thinks fit.

(2) A copy of every order passed under sub-rule (1) shall be sent to the Board or the Committee concerned, as the case may be, by the Central Government.

(3) On receipt of a copy of the order as aforesaid, the Board or the Committee, as the case may make a representation to the Central Government against the said order and the Central Government may after considering the representation, either cancel, modify or confirm the order passed by it under sub-rule (1), or take such other action in respect of the matter as may, in the opinion of the Central Government, be just or expedient, having regard to all the circumstances of the case.

CHAPTER IV

TRAVELLING AND OTHER ALLOWANCES TO MEMBERS OF THE BOARD

24. Travelling and other allowances to members of the Board and its Committees.—(1) A member other than a Government servant, shall be entitled to draw, in respect of any journey performed by him for the purpose of attending a meeting of the Board or of a duly constituted Committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, travelling allowance and daily allowance at the highest rates admissible to Government servants of the first grade under the rules and orders made by the Central Government and for the time being in force.

(2) In the case of any journey performed by an official of the Central or the State Government specially nominated by the Board to serve on any *ad hoc* Committee or any other Committee or to attend to any other business of the Board, the travelling and daily allowances admissible to him shall be payable by the Board, at the rates admissible to him under the rules of the Government under which he is for the time being employed.

(3) No travelling allowance or daily allowance, shall be allowed to a member unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and halt for which the claim is made.

(4) Travelling allowance shall be payable from the usual place of residence of a member to the place of the meeting or the place where he has gone to attend to any business of the Board or any of its Committees and back to his place of residence:

Provided that when the journey commences from, or the return journey terminates at, any place other than his usual place of residence, the travelling allowance shall be limited to the amount that would have been payable had the journey commenced from or terminated at the usual place of residence, or to the amount payable in respect of the actual journey undertaken whichever is less:

Provided further that in special circumstances and with the previous approval of the Central Government, the Chairman may grant travelling allowance from places other than the usual place of residence of a member.

(5) The Chairman shall be the controlling officer for the purposes of travelling and daily allowances of the members of the Board or of any Committee.

25. Conveyance Allowances.—No Conveyance Allowance for attending meetings of the Board or any of the Committees or for attending to any other business of the Board, shall be paid to those members who draw travelling or daily allowance:

Provided that a member who is resident at a place where the meeting of the Board or any of the Committees is held or where any other business of the Board is transacted, may be paid the actual expenditure incurred on conveyance by him subject to a maximum of rupees ten per day.

CHAPTER V

THE BOARD AND ITS ESTABLISHMENT

26. Salaries and Allowances.—All expenditure on account of the salaries, allowances, pension, leave salary and other contributions, if any, of the Chairman and other officers appointed under section 7 of the Act shall be met from the Board's funds.

27. Board's Establishment.—(1) The Board may, subject to availability of funds either by inclusion of a specific budget provision for the purpose or by savings under an appropriate head or by valid reappropriation, sanction such other establishment as is not covered by section 7, if in its opinion such creation of posts is considered necessary for the efficient performance of its functions:

Provided that no post, the maximum salary of which exceeds Rs. 575 per mensem, shall be created and appointments made thereto without the previous sanction of the Central Government:

Provided further that in case of exigencies temporary posts which would need to be created in the interest of the Board and the maximum salary of which does not exceed Rs. 575 per mensem may be created by the Chairman:

Provided also that the confirmation of a direct recruit in a post, the maximum salary of which exceeds Rs. 575 p. m., shall not be made without the prior approval of the Central Government.

(2) Subject to the conditions specified in sub-rule (1),—

(a) the Chairman may make appointments to Class III Posts carrying a pay not exceeding Rs. 425 per mensem or a scale of pay, the maximum of which does not exceed Rs. 425/- per mensem;

(b) the Director may make appointments to Class IV posts.

28. **Abolition of Posts.**—The Board may abolish any post which it is competent to create.

29. **Filling of posts by direct recruitment.**—All vacancies in the rank of officers carrying a pay, or a scale of pay, over Rs. 575 per mensem or in any other posts classified as technical posts, to be filled by direct recruitment, shall be advertised and all vacancies in other ranks shall be notified to the Regional Employment Exchange concerned, and appointments shall be made from among the persons making application in pursuance of the advertisement of the candidates recommended by the Employment Exchange, as the case may be.

29A. **Filling of posts by promotion.**—In filling vacancies by promotion in respect of the categories of posts referred to in sub-rule (2) of rule 27, the Chairman or the Director, as the case may be, shall consider the claims of all candidates eligible for promotion to such posts.

30. **Pay, Leave, Allowances etc.**—The pay, leave, allowances, pension and retirement benefits, and other conditions of service and other facilities and concessions such as advances of pay, advances for purchase of conveyances, construction of houses and the like, in respect of all employees appointed by the Board, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees of the Central Government of the corresponding grades or status stationed at those places.

31. **Posting and Transfers.**—Postings and transfers of all officers and employees of the Board shall be made by the Chairman; but the Chairman may delegate this power to the other officers of the Board subject to such conditions as he thinks fit.

32. **Sending Persons abroad.**—The Board shall not send any officer of the Board or any member of the Board to places outside India without the previous sanction of the Central Government.

CHAPTER VI

POWERS OF THE BOARD THE CHAIRMAN AND THE SECRETARY

33. **Power to incur expenditure and to write off losses.**—(1) Subject to the provisions of the Act and these rules and the rules made by the Central Government relating to revenue and expenditure for the time being in force, the Board may incur such expenditure as it may think fit on items provided for, and within the amounts sanctioned by the Central Government, in the budget.

(2) The Board may write off losses or waive recoveries upto Rs. 5000 in any single case.

(3) The Board may delegate the powers under sub-rule (1) to the Chairman or its officers, subject to such limits or conditions as may be laid down by it in this behalf.

(4) Re-appropriations between sub-heads under heads of expenditure may be made by the Board. The Board may, however, delegate its powers in this behalf to the Chairman to such extent as it may deem fit.

(5) The Board shall not incur expenditure outside India in excess of Rs. 10,000 on any single item without the previous sanction of the Central Government.

34. Contracts.—(1) The Board may enter into any contract for the discharge of the duties entrusted to it under the Act:

Provided that—

- (a) every contract which extends over a period of more than three years or involves an expenditure in excess of one lakh rupees; and
- (b) every agreement on contract for technical collaboration or consultation services with firms or foreign governments shall require the previous sanction of the Central Government.

(2) The Board may delegate to the Chairman or the Director the power to enter into contracts on its behalf to such extent as it deems fit.

(3) Contracts shall not be binding on the Board unless they are executed by the Chairman or any officer authorised by the Board with the previous approval of the appropriate authority concerned.

(4) Neither the chairman nor any officer of the Board nor any member thereof shall be personally liable under any assurances or contracts made by the Board and any liability arising under such assurances or contract shall be discharged from the moneys at the disposal of the Board.

35. Delegation of Powers.—(1) The Board shall have power to delegate to a committee such powers as it deems fit.

(2) Subject to the provisions of these rules and such restrictions as may be imposed by the Board, the Executive Committee shall exercise all the powers of the Board in regard to the control and disposal of the Cardamom Fund.

(3) Every Committee appointed by the Board shall exercise the powers conferred on it by or under the Act, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of every Committee shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

36. Restriction on Delegation of Powers.—The Board shall not delegate any of the following powers to the Executive Committee:—

- (a) The power to sanction non-recurring expenditure in excess of Rs. 20,000 in respect of any single item and recurring expenditure which involves an outlay of more than Rs. 20,000 in a year on any single item;
- (b) the power to adopt the budget estimates of the Board on its behalf;
- (c) the power to sanction expenditure to be incurred outside India in excess of Rs. 5000 in respect of any single item;
- (d) the power to re-appropriate estimated savings in excess of Rs. 2500 in the case of any single item; and
- (e) the power to write off losses or waive recoveries in excess of Rs. 1000 in any one case.

37. Borrowing Powers.—The Board may, with the previous sanction of the Central Government, borrow, on the security of the Cardamom Fund or any of its other assets, for meeting its expenses or for any other purposes referred to in section 9 of the Act.

38. Powers and duties of Chairman.—(1) The Chairman shall be responsible for the proper functioning of the Board and the discharge of its duties under the Act and these rules.

(2) Subject to the provisions of these rules, the Chairman may delegate his powers under this rule to any other officer of the Board.

(3) The Chairman shall have the power to grant leave to all officers and employees and may delegate this power to any other officer of the Board subject to such conditions as he thinks fit.

(4) The Chairman shall exercise administrative control over all departments and officers of the Board including the Secretary.

(5) The Chairman shall have power:—

- (i) to call for documents and records and to inspect or cause to be inspected, accounts and places of storage or of business as required under the Act or these rules;
- (ii) to sanction expenditure for contingencies, supplies and services and purchase of articles required for the working of the office of the Board and for the execution of measures in furtherance of the objects of the Act, provided that provision therefor has been made in the budget.

(6) The Chairman may by order, in writing, delegate any of his powers under sub-rule (5) to any other officer of the Board.

(7) The Chairman shall have power to require the Board or any committee thereof to defer taking action in pursuance of any decision taken by the Board or the committee, as the case may be, pending a reference to the Central Government on such decision.

(8) Where a matter has to be disposed of by the Board or a committee thereof and a decision in respect of that matter cannot wait till a meeting of the Board or the Committee as the case may be, is held or till completion of circulation of the relevant papers among the members of the Board or the Committee, the Chairman may take required decision himself.

(9) Where the Chairman takes such decision, he shall submit the same for ratification by the Board or the Committee, as the case may be, provided that if the Board or the Committee modifies or annuls the decision taken by the Chairman. Such modification or annulment shall be without prejudice to the validity of any action taken previously as a result of that decision.

39. Powers and duties of Secretary.—(1) The Secretary shall be responsible for the implementation of the decisions arrived at by the Board or by the Committees and the discharge of the duties imposed on him under the Act or by these rules.

(2) Subject to such delegation as may be made by the Chairman to such other officers as may be appointed for the purpose of this rule, the Secretary shall—

- (a) cause all important papers and matters to be presented to the Board as early as practicable;
- (b) issue directions as to the method of carrying out the decisions of the Board;
- (c) grant, or, subject to the resolution by the Board, authorise some other person to grant, receipts on behalf of the Board for all moneys received under the Act;
- (d) maintain or cause to be maintained on account of the receipt and expenditure of the Board; and
- (e) present an annual draft report on the working of the Board to the Board for approval and submit the report in the form approved by the Board to the Central Government not later than the date specified from time to time in this behalf by the Central Government for being laid on the Table of both Houses of Parliament.

CHAPTER VII

FINANCE, BUDGET AND ACCOUNTS OF THE BOARD

40. Budget Estimates.—(1) The Board shall, in each year, prepare a budget for the Cardamom Fund for the ensuing financial year and shall submit it for sanction to the Central Government on or before such date as may be appointed by that Government.

(2) No expenditure shall be incurred until the budget is sanctioned by the Central Government and the sanction for that expenditure by the competent authorities is received.

(3) The budget shall be prepared in accordance with such instructions as may be issued from time to time and be in such form as the Central Government may direct and shall include a statement of—

- (i) the estimated opening balance,
- (ii) the estimated receipts referred to in sub-section (1) of section 17 of the Act, and
- (iii) the estimated expenditure classified under the following heads and sub-heads or such other heads and sub-heads as the Central Government may direct, namely:—

Heads:

- (a) Administration
- (b) Research
- (c) Statistics
- (d) Works
- (e) Propaganda and publicity
- (ee) Promoting Co-operative efforts among growers of Cardamom.
- (eee) Financial and other assistance for improved methods of cultivation.
- (f) Others.

Sub-Heads:

- (i) Pay of officers
- (ii) Pay of establishment
- (iii) Allowances, honoraria and the like
- (iv) Other charges, contingencies and the like.

(4) Supplementary estimates of expenditure, if any, shall be submitted for the sanction of the Central Government in such form and on such dates as may be directed by it in this behalf.

41. **Accounts of Board.**—(1) The Board shall maintain accounts of all receipts and expenditure relating to each year.

(2) The audited statement of receipts and expenditure together with the auditor's report thereon for every year shall be submitted to the Central Government as soon as possible after the close of the year, and, in any case, not later than the dates specified in this behalf by the Central Government, for being laid on the table of both Houses of Parliament.

(3) The expenditure incurred in the year shall be shown under separate heads and sub-heads.

(4) The opening balance, if any, shall also be stated as such separately.

(5) The closing balance of the year shall be shown at the foot of the accounts on the expenditure side.

42. **Deposit of funds of Board in Banks and Investment of such Funds.**—(1) Money required for the current expenditure of the Board with the exception of petty cash and surplus moneys shall be kept in the Personal Ledger Account in the district Treasury or sub-Treasury or in current account in the State Bank of India or in any of its subsidiaries.

(2) Any funds not required for current expenditure may be placed in deposit account with the Central Government in the Public Account:

Provided that the funds in the Board's pension fund or provident fund not required for current expenditure may be invested in Trustee Securities or Ten-Year Treasury Savings Deposit Certificates or National Savings Certificates or National Defence Certificates to the extent permissible or in fixed deposits with the State Bank of India or any of its subsidiaries or, if approved by the Central Government, with any other bank.

(3) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against the current account of the Board.

(4) Such cheques and all orders for making deposits or investments, or withdrawal of the same, or for the disposal in any other manner, of the funds of the Board shall be signed by the Secretary and countersigned by the Chairman or, in the absence of the Chairman, by any other officer of the Board duly authorised by him.

43. Financial transactions in General.—Except as otherwise provided in these rules, the provisions of the Central Treasury Rules, the Delegation of Financial Powers Rules, 1958 and the General Financial Rules, 1962 of the Central Government, for the time being in force, shall, subject to such modifications or adaptations as may be made by the Board therein with the previous approval of the Central Government, apply to all financial transactions of the Board.

CHAPTER VIII MISCELLANEOUS

44. Returns from Registered Estates.—(1) Every person shall in respect of each estate owned by him, send by registered post to the Board—

- (i) a return of the crop estimate in form 'A' by the first day of June, every year.
- (ii) a monthly crop return in Form 'B', before the seventh day of every month until completion of harvesting of the entire crop, the first return to be submitted on the first day of October.

(2) The Chairman, Director or any other officer authorised by the Chairman shall have power to call for any information or statistics in respect of cardamom or any product of cardamom from—

- (i) growers of cardamom;
- (ii) dealers in cardamom; and
- (iii) any person or firm or company dealing in, or having any connection with cardamom industry or cardamom products.

45. Advance of loans to or investment in the share capital of co-operative societies.—The Board may, with the previous approval of the Central Government advance loans to, or invest its moneys in the share capital of, the co-operative societies connected solely with cardamom industry.

46. Licensing of dealers in cardamom.—Subject to such conditions as may be imposed or exemptions as may be granted by the Board, every dealer in cardamom, his agent, broker and auctioneer shall apply for a licence every year from the Board, on payment of a fee of Rs. 5 per licence.

47. Appointment of Agents and their registration.—The Board may, with the previous approval of the Central Government, appoint any person or body of persons to act as agent or agents of the Board for carrying out all or any of the functions assigned to the Board under the provisions of the Act or these rules and may fix the remuneration of the person or person so appointed.

FORM 'A'

(See Rule 44)

Crop Estimate

(To be returned by the first day of June, 19)

Name of the estate and
elevation (from sea-level)

District

Registration No.

Name of owner and Manager
(if any) with postal address

Estimated Crop

In.....Kgs.

Particulars of area under cardamom

Sl. No.

Particulars

Area in Hectares

1. Planted area on 1st June
2. Bearing area on 1st June
3. Additional land planted with cardamom during the 12 months ending 1st June
4. Planted area uprooted and replanted during the 12 months ending 1st June
5. Planted area under cardamom abandoned during the 12 months ending 1st June.

Signature

Place.....
Date.....

FORM 'B'

(See rule 44)

Monthly Crop Return

Name of estate

Registration No.....

District.....

Name of owner and Manager

(if any) with postal address.

Crop picked and collected to date.

Signature

Place.....

Date.....

N.B.—1. Each return shall relate to the period from 1st of September to the day preceding its due date of submission i.e., the total crop to date.

2. The total weight of the dried cardamom (sun dried or kiln dried) should be given.

(No. 25(26)Plant(B)/68.)

RUBBER CONTROL

New Delhi, the 27th December 1968

G.S.R. 26.—In exercise of the powers conferred by section 25 of the Rubber Act, 1947 (24 of 1947), the Central Government hereby makes the following rules further to amend the Rubber Rules, 1955, namely:—

1. These Rules may be called the Rubber (Third Amendment) Rules, 1968.
2. In the Rubber Rules, 1955, after rule 33D, the following rule shall be inserted, namely:—

"33E. Powers of Board to remit or abandon claims to excise duty.—(1) It shall be lawful for the Board to remit or abandon claims to excise duty on rubber upto one thousand rupees in any single case of assessment:

Provided that the arrears of excise duty, pending more than a year, have been certified to be irrecoverable by the revenue authorities of the State concerned;

Provided further that—

- (a) petty amounts upto fifty rupees in any single case of assessment, may be written off without any certificate of irrecoverability as mentioned in the preceding proviso subject to the condition that such amount is certified to be irrecoverable by the Secretary or any other officer of the Board, to whom the powers under rule 33B have been delegated;
- (b) where petty amounts upto fifty rupees cannot be certified as irrecoverable under clause (a), a certificate of recovery shall be issued by the Board to the revenue authorities of the State concerned and the recovery may be written off by the Board if the amounts are not recovered by the revenue authorities within a reasonable time.
- (2) The Board's powers under sub-rule (1) to remit or abandon claims to excise duty, shall be subject to the provisions of rule 10 of the Delegation of Financial Powers Rules, 1958.
- (3) The Board may delegate its powers under this rule to the Chairman to such extent as it deems fit."

[No. F. 20(3)Plant(B)/64.]

G.S.R. 27.—In exercise of the powers conferred by clause (vi) of sub-section (2) of section 25 of the Rubber Act, 1947 (Act 24 of 1947), the Central Government hereby makes the following rules, further to amend the Rubber Rules, 1955, namely:—

1. (1) These rules may be called the Rubber (Second Amendment) Rules, 1968.

(2) They shall come into force at once.

2. In the Rubber Rules, 1955, for rule 47, the following rule shall be substituted, namely,

"47. Powers and duties of the Commissioner.—The Commissioner shall be in charge of Development programmes of the Board. Besides advising the Chairman in technical and Development matters and exercising powers that may be delegated to him by the Chairman, he shall undertake, or encourage, or cause to be undertaken or encouraged, economic research and also make technical advice available to the rubber growers".

[No. F. 21(14)Plant(B)/64.]

G.S.R. 28.—In exercise of the powers conferred by clause (xv) of sub-section (2) of section 25 of the Rubber Act, 1947 (24 of 1947), the Central Government hereby makes the following rules further to amend the Rubber Board (Service) Rules, 1961, namely:—

1. These rules may be called the Rubber Board (Service) Amendment Rules, 1968.

2. In the proviso to rule 7 of the Rubber Board (Service) Rules, 1961, the words "unless the Chairman for valid reasons to be recorded in writing decides otherwise" shall be omitted.

[No. F. 21(10)Plant(B)/62.]

CARDAMOM CONTROL

G.S.R. 29.—In exercise of the powers conferred by section 33 of the Cardamom Act, 1965 (42 of 1965), the Central Government hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Cardamom (Licensing and Registration) Rules, 1968.

2. **Definitions.**—In these rules, unless the context otherwise requires.—

(a) "Act" means the Cardamom Act, 1965 (42 of 1965);

(b) "auctioneer" means a person or body of persons conducting an auction of Cardamom;

(c) "broker" means a middleman who arranges the purchase or sale of cardamom on a brokerage basis;

(d) "dealer" means a person who deals in the purchase or sale of cardamom but does not include an auctioneer or a broker;

(e) "Form" means a Form appended to these rules;

(f) "Secretary" means the Secretary to the Board.

3. **Persons engaged in the business of Cardamom to be licensed or registered.**—(1) No person shall engage himself in the business of cardamom as auctioneer or broker except under and in accordance with the terms and conditions of a licence issued to him in this behalf.

(2) No person shall engage himself in the business of cardamom as dealer except under and in accordance with the terms and conditions of a certificate of registration issued to him in this behalf.

(3) Every person referred to in sub-rule (1) or in sub-rule (2) shall make an application in Form 'A'.

(4) Every application for issue of a licence or a certificate of registration shall be accompanied by a fee of twenty-five rupees:

Provided that separate application shall be necessary if a person desires to carry on the business of cardamom in more than one capacity or in more than one locality.

4. Exemption from fee.—The fee referred to in sub-rule (4) of rule 3 shall not be leviable, in respect of an application for the issue of a certificate of registration by a dealer whose annual turn over in the business of cardamom is less than one thousand rupees.

5. Mode of remittance of fee.—The fee payable under these rules shall be remitted to the Board by a demand draft on any Scheduled Bank at Ernakulam, or by money order, or crossed postal order, in favour of the Secretary.

6. Form of licence and certificate of registration.—(1) Every licence issued under these rules shall be in Form 'B' and be subject to such terms and conditions as may be specified therein.

(2) Every certificate of registration shall be in Form 'C' and be subject to such terms and conditions as may be specified therein.

7. Duration and renewal of licence and certificate of registration.—(1) Every licence and every certificate of registration issued under these rules shall be valid upto the 31st day of August next following.

(2) Every licence or a registered dealer shall apply to the Board one month in advance for the renewal of licence or certificate of registration, as the case may be, in Form 'A'.

Provided that an application for the renewal of licence or certificate of registration may be entertained upto the date of expiry of the licence or the certificate of registration as the case may be, on payment of an additional fee of five rupees.

(3) The fee for renewal of licence or certificate of registration shall be the same as provided in sub-rule (4) of rule 3.

(4) On renewal, the previous licence or certificate of registration shall be surrendered to the Board for cancellation.

8. Suspension, revocation or cancellation of licence or certificate of registration.—(1) If the Chairman is satisfied either on a reference made to him in this behalf or otherwise that any person to whom a licence or a certificate of registration has been issued under these rules has obtained such licence or certificate of registration by fraud or misrepresentation, he may, without prejudice to any other action which may be taken against such person under any law, after giving a reasonable opportunity to such person of being heard and for reasons to be recorded in writing, suspend, revoke or cancel such licence or certificate of registration by an order in writing.

(2) A copy of the order made under sub-rule (1) shall be communicated to the licensee or the holder of the certificate of registration, as the case may be.

9. Appeal.—(1) Any licensee or dealer whose licence or certificate of registration, as the case may be, is suspended, revoked or cancelled may, within thirty days from the date of communication of the order of suspension, revocation or cancellation to such licensee or dealer prefer an appeal to the Board.

(2) Every appeal under sub-rule (1) shall be accompanied by a fee of twenty-five rupees.

(3) On receipt of the appeal under sub-rule (1), the Board shall, after giving a reasonable opportunity to the appellant of being heard, pass such orders as it deems fit.

10. Transaction of business by licensee and dealer.—Every licensee and every dealer registered under these rules shall comply with such instructions as the Board may, from time to time, issue with regard to the conduct of business in cardamom.

FORM 'A'

APPLICATION FORM FOR ISSUE OF A LICENCE AS AUCTIONEER/BROKER OR FOR ISSUE OF A CERTIFICATE OF REGISTRATION AS DEALER.

[See Rule 3 (3)]

1. (a) Name of the Applicant/Firm/Society Organisation (In Block Letters).
- (b) Licence No., if any.
2. Address in full.
3. Place of Business.
4. Nature of business
[Vide rule 2(b)/2(c)/2(d)].
5. Name and address of the Proprietor, Proprietors or partners of the Firm/Society/Organisation.
6. Capital invested/Financial standing of the Applicant/Firm/Society/Organisation.
7. No. of years of experience in the business relating to cardamom.
8. Quantity and value of cardamom handled in the course of business during each of the last three financial years (purchase and sale to be indicated separately)..
9. The following information to be given:—
 - (a) **Auctioneer:**
 - (i) Day of auction and frequency of auction.
 - (ii) Conditions governing the conduct of auction.
 - (iii) Financial accommodation, if any, given to growers and successful bidders in auction.
 - (iv) Storage facilities.
 - (v) Facilities for grading of Cardamom.
 - (b) **Broker:**
 - (i) Manner of business conducted— Planter to planter—Planter to dealer—Planter to auctioneer dealer to dealer.
 - (ii) Rate or percentage of brokerage charged.
 - (c) **Dealer:**
 - (i) Is Cardamom purchased from planter or through brokers or in auction?
 - (ii) Maximum and minimum quantity purchased and sold in any one transaction.
 - (iii) Quantity and volume of turnover in the business of cardamom for the preceding three financial years.
 - (iv) Storage facilities.
 - (v) Is the cardamom fumigated against infestation during storage?

- (vi) If the dealer is also an exporter of cardamom, the countries with which he has business dealings and the quantity and value of exports for the preceding three financial years to be indicated.
- (vii) Rate or percentage of commission, if any, charged in the transaction of business in cardamom.

I declare that the information given above is true to the best of my knowledge and belief and that I shall abide by any instructions given by the Board from time to time regarding the conduct of business.

Place:
Date:

**Signature of the Applicant/Form/
Society/Organisation.**

NOTE: Separate applications should be made by a person for each place of his business or for each class of business as auctioneer, broker or dealer.

FORM 'B'

(Licence as auctioneer/broker)

[See rule 6(1)]

Not transferable

Licence No.

Shri/S. Shri/Messrs..... resident of.....
.....is/are hereby authorised to
carry on business in cardamom as auctioneer/broker at.....
subject to the conditions specified hereunder.

The licence is valid upto the 31st day of August.....

Secretary.

Place:
Date:

Conditions

1. The auctioneer shall abide to conduct the auction at a place, on a day and time specified by the Board.

2. (a) The auctioneer shall draw 500 grammes out of each lot of cardamom offered for sale as sample, expose 300 grammes out of it for the bidders to examine the same at the place of auction four hours before the commencement of the auction and circulate a list indicating the quantity of each lot, weight in grammes per litre and the reserve price to the prospective bidders. A copy of the list shall be sent to the Board. 100 grammes of the sample shall be given to the highest bidder and the balance of 100 grammes shall be kept by the auctioneer in a sealed polythene bag for a period of seven days for verification in case of any dispute.

(b) The auctioneer may, if a lot of cardamom offered for sale, is less than 10 kgs. dispense with the necessity of drawing the sample and auction the lot as it is either by indicating the size, colour, percentage of thrip marks and weight i.e., grammes per litre, or by exhibiting the lot to the prospective buyers.

3. The auctioneer shall not charge more than one per cent of the sale price as commission for the service rendered by him.

4. (a) The auctioneer shall maintain a register showing the name of the planter register No. of his estate, Licence No. of the broker, quantity received for sale by grades and lots, if any, quantity sold, prices fetched for each lot, average range of prices obtained and the commission charged. The auctioneer shall send

to the Board an extract of the register within three days from the date of auction.

(b) The provisions of sub-paragraph (a) shall, so far as practicable, apply to the broker.

5. The broker shall not procure cardamom from a planter whose estate has not been registered and shall not negotiate sale of cardamom to a dealer who is not registered with the Board, or tender cardamom for sale to an auctioneer who is not licensed by the Board under the Cardamom (Licensing and Registration) Rules, 1968.

6. Every licence shall be deemed to have been issued for renewed personally to the licensee and no licence shall be sold or transferred.

7. Where a licensee transfers his business to another person, the transferee shall obtain a fresh licence under Cardamom (Licensing and Registration) Rules, 1968.

8. Where a licensee dies, the original licence shall be deemed to have been terminated and if more persons than one, claim to be the heirs of the deceased the heir or each of the heirs shall apply to the Board for the issue of a fresh licence for the same.

9. Every licensee who has a fixed place of business shall exhibit the licence in a conspicuous part of the place of his business and every broker who has no fixed place of business shall carry his licence with him and shall produce it on demand for inspection by any officer of the Board authorised in this behalf by the Chairman.

FORM 'C'

(Certificate of Registration as dealer)

[See Rule 6(2)]

Not transferable

Registration No.

It is certified that Shri son of residing at is a registered dealer in cardamom and is permitted to carry on business in cardamom at subject to the conditions specified hereunder.

This certificate of registration is valid upto the 31st day of August.....

Place:

Secretary.

Date:

Conditions

1. No dealer shall purchase cardamom from an estate which has not been registered and from an auctioneer or a broker who has not been licensed by the Board under the Cardamom (Licensing and Registration) Rules, 1968. Every dealer shall maintain a register showing the name of the planter/auctioneer/broker, register number of the estate/Licence No. of auctioneer/broker and quantity purchased and sold during the course of his business. He shall send to the Board a monthly statement showing the above particulars so as to reach the Secretary before the 7th day of the succeeding month.

2. Every dealer shall exhibit the certificate of registration in a conspicuous part of the place of his business.

(No. 29(87)-Plant(B)87.)

COFFEE CONTROL

G.S.R. 30.—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following Rules, namely:—

1. **Short title, commencement and application.**—(1) These rules may be called the Coffee Board Servants (Conduct) Rules, 1968.

(2) They shall come into force at once.

(3) They shall apply to all persons employed by the Board, and to officers appointed by the Central Government under section 9 of the Coffee Act, 1942 (7 of 1942).

2. Definition.—In these rules, unless the context otherwise requires,—

(a) 'the Board' means the 'Coffee Board'.

(b) 'Board servant' means any person employed by the Board and includes all Officers appointed by the Central Government under section 9 of the Coffee Act, 1942 (7 of 1942), but does not include an Officer lent by the Government.

Explanation.—A Board servant whose services are placed at the disposal of a Company, Corporation, Organisation, a Local authority or Government shall for the purposes of these rules, be deemed to be a Board servant serving under the Board notwithstanding that his salary is drawn from a source other than the Board's Funds.

(c) 'members of family' in relation to a Board's servant includes—

- (i) the wife or husband as the case may be, of the Board servant, whether residing with the Board servant or not but does not include a wife or husband, as the case may be, separated from the Board servant by a decree or order of a competent court;
- (ii) son or daughter or step-son or step-daughter of the Board servant and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the Board servant or of whose custody the Board servant has been deprived of by or under any law;
- (iii) any other person related, whether by blood or marriage, to the Board servant or to the Board servant's wife or husband, and wholly dependent on the Board servant.

3. General.—(1) Every Board servant shall at all times—

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Board servant.

(2) (i). Every Board servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Board servants for the time being under his control and authority;

(ii) No Board servant shall, in the performance of his Official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the directions of his Official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon thereafter as possible.

Explanation.—Nothing in clause (ii) of sub-Rule (22) shall be construed as empowering a Board servant to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the powers delegated to the Board's servant.

4. Employment of near relatives of Board servants in private undertakings having dealings with the Board.—(1) No Board servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any private undertaking.

(2) (i) No Class I or Class II Officer shall, except with the previous sanction of the Board, permit his son, daughter or other dependent to accept employment in any private undertaking with which he has Official dealings or in any other undertaking having official dealings with the Board;

Provided that where the acceptance of the employment cannot await prior permission of the Board or is otherwise considered urgent, the matter shall be reported to the Board and the employment may be accepted provisionally subject to the permission of the Board.

(ii) A Board servant shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any private undertaking, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that undertaking:

Provided that no such intimation shall be necessary in the case of Class I or Class II Officer if he has already obtained the sanction of, or sent a report to the Board under clause (1).

(3) No Board servant shall, in the discharge of official duties, deal with any matter or give or sanction any contract to any undertaking or any other person if any member of his family is employed in that undertaking or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Board servant shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

5. Taking Part in Politics and Elections.—(1) It shall be the duty of every Board servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established and where a Board servant is unable to prevent a member of his family from taking part in, or subscribing in the aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Board.

(2) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.

(3) No Board servant shall canvass or otherwise interfere with, or use his influence in connection with or take part in an election to any Legislature or local authority:

Provided that—

- (i) a Board servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) a Board servant shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in due performance of a duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a Board servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. Joining of Associations by Board Servants.—No Board servant shall join, or continue to be a member of, an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

7. Demonstration and Strikes.—No Board servant shall—

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or
- (ii) resort to or in any way abet any form of strike in connection with any matter pertaining to his service or the service of any other Board or Undertaking or Government servants.

8. Connection with Press or Radio.—(1) No Board servant shall, except with the previous sanction of the Board, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

(2) No Board servant shall, except with the previous sanction of the Board or in the *bona fide* discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical;

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

9. Criticism of Board and Government.—No Board servant shall, in any radio broadcast or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion—

(i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government or Board;

Provided that nothing contained in this rule shall apply to *bona fide* expression of views by him as an Office-bearer of a trade union of such Board servants for the purpose of safe-guarding the conditions of service of such Board servants or for securing an improvement thereof; or

(ii) which is capable of embarrassing the relations between the Board and the Central Government or Government of any State;

Provided that nothing in this rule shall apply to any statements made or views expressed by a Board servant in his official capacity or in the due performance of the duties assigned to him.

10. Evidence before Committee or any other Authority.—(1) Save as provided in sub-rule (3), no Board servant shall, except with the previous sanction of the Board, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1), no Board servant giving such evidence shall criticise the policy or any action of the Board or the Central Government or a State Government.

(3) Nothing in this rule shall apply to—

- (a) evidence given at any enquiry before an authority appointed by the Board, the Government, Parliament or a State Legislature; or
- (b) evidence given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by the Board.

11. Unauthorised Communication of Information.—No Board servant shall, except in accordance with any general or special order of the Board or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Board servant or any other person to whom he is not authorised to communicate such document or information.

12. Subscriptions.—No Board servant shall, except with the previous sanction of the Board or of the prescribed authority, ask for or accept contributions or otherwise associate himself with the raising of any funds or other collections, in cash or in kind, in pursuance of any object whatsoever.

13. Gifts.—(1) Save as otherwise provided in these rules, no Board servant shall accept, or permit any member of his family or any person acting on his behalf to accept, any gift.

Explanation.—The expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the Board servant.

NOTE (I) A casual meal, lift or other social hospitality shall not be deemed to be a gift.

NOTE (II) A Board servant shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organisations, etc.

(2) On occasions, such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a Board servant may accept gifts from his near relatives but he shall make a report to the Board if the value of any such gift exceeds—

- (i) Rs. 500.00, in the case of a Board servant holding any Class I or Class II post;
- (ii) Rs. 250.00, in the case of a Board servant holding any Class III post; and
- (iii) Rs. 100.00, in the case of a Board servant holding any Class IV post.

(3) On such occasions as are specified in sub-rule (2), a Board servant may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the Board if the value of any such gift exceeds—

- (i) Rs. 200.00, in case of a Board servant holding any Class I or Class II post;
- (ii) Rs. 100.00, in case of a Board servant holding any Class III post; and
- (iii) Rs. 50.00, in the case of a Board servant holding any Class IV post.

(4) In any other case, a Board servant shall not accept any gift without the sanction of the Board if the value thereof exceeds—

- (i) Rs. 75.00, in the case of a Board servant holding any Class I or Class II post; and
- (ii) Rs. 25.00, in the case of a Board servant holding any Class III or Class IV post.

14. Public Demonstrations in honour of Board servants.—No Board servant shall, except with the previous sanction of the Board, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other Board servant:

Provided that nothing in this rule shall apply to—

- (i) a farewell entertainment of a substantially private and informal character held in honour of a Board servant or any other Board servant on the occasion of his retirement or transfer or any person who has recently quit the service of the Board; or
- (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

NOTE:—Exercise of pressure or influence of any sort on any Board servant to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Board servant not belonging to Class III or Class IV, is forbidden.

15. Private Trade or Employment.—(1) No Board servant shall, except with the previous sanction of the Board, engage, directly or indirectly, in any trade or business or undertake any other employment:

Provided that a Board servant may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition, that his official duties do not thereby suffer; but he shall not undertake, or shall discontinue, such work if so directed by the Board.

Explanation.—Canvassing by a Board servant in support of the business of insurance agency, commission agency etc. owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.

(2) Every Board servant shall report to the Board if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(3) No Board servant shall, without the previous sanction of the Board, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under Companies Act, 1956 (1 of 1956) or any other law for the time being in force, or any co-operative society for commercial purposes:

Provided that a Board servant may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Board servants, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

(4) No Board servant may accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

16. Investment, Lending and Borrowing.—(1) No Board servant shall speculate in any stock, share or other investment.

Explanation.—Frequent purchase or sale or both, of shares, securities or other investments, shall be deemed to be speculation within the meaning of this sub-rule.

(2) No Board servant shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the Board thereon shall be final.

(4)(i) No Board servant shall, save in the ordinary course of business with a Bank or a firm of standing duly authorised to conduct Banking business, either himself or through any member of his family or any other person acting on his behalf,—

(a) lend or borrow money, as principal or agent, to or from any person within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person, or

(b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid:

Provided that a Board servant may give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bona fide tradesman or make an advance of pay to his private employee.

(ii) When a Board servant is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

17. Insolvency and Habitual Indebtedness.—A Board servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Board servant against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the Board.

NOTE:—The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence the Board servant could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the Board servant.

18. Movable, Immovable and Valuable Property.—(1) Every Board servant shall, on his first appointment to any service or post and thereafter at such intervals as may be specified by the Board, submit a return of his assets and

liabilities, in such form as may be prescribed by the Board, giving the full particulars regarding—

- (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
- (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
- (c) other movable property inherited by him or similarly owned, acquired or held by him; and
- (d) debts and other liabilities incurred by him, directly or indirectly.

NOTE I.—Sub-rule (1) shall not ordinarily apply to Class IV servants but the Board may direct that it shall apply to any such Board servant or class of such Board servants.

NOTE II.—In all returns, the values of items of movable property worth less than Rs. 1,000.00 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc., need not be included in such return.

NOTE III.—Every Board servant, who is in service on the date of the commencement of these rules, shall submit a return under this sub-rule on or before such date as may be specified by the Board after such commencement.

(2) No Board servant shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family:

Provided that the previous sanction of the prescribed authority shall be obtained by the Board servant if any such transaction is—

- (i) with a person having official dealing with the Board servant; or
- (ii) otherwise than through a regular or reputed dealer.

(3) Every Board servant shall report to the prescribed authority every transaction concerning movable property owned or held by him, either in his own name or in the name of a member of his family, if the value of such property exceeds Rs. 1000.00 in the case of a Board servant holding any Class I or Class II post or Rs. 500.00 in the case of a Board servant holding any Class III or Class IV post;

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is—

- (i) with a person having official dealings with the Board servant; or
- (ii) otherwise than through a regular or reputed dealer.

(4) The Board or the prescribed authority may, at any time, by general or special order, require a Board servant to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Board or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

(5) The Board may exempt any category of Board servants belonging to Class III or Class IV from any of the provision of the rule except sub-rule (4).

Explanations—For the purpose of this rule (1), the expression “movable property” includes—

- (a) jewellery, insurance policies the annual premia of which exceeds Rs. 1000.00 or one sixth of the total annual emoluments received from Board whichever is less, shares, securities and debentures;
- (b) loans advanced by such Board servants whether secured or not;
- (c) motor cars, motor cycles, horses, or any other means of conveyance; and
- (d) refrigerators, radios and radiograms.

(2) "prescribed authority" means—

- (a) (i) the Chairman in the case of a Board servant holding any Class I or Class II posts;
- (ii) Head of the department in the case of a Board servant holding any Class III or IV posts;
- (b) in respect of Board servant on foreign service or on deputation to any other organisation or any other Government, the parent department on the cadre of which such Board servant is borne.

19. (1) **Vindication of Acts and Character of Board Servants:**—No Board servant shall, except with the previous sanction of the Board have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

(2) Nothing in this rule shall be deemed to prohibit a Board servant from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken the Board servant shall submit a report to the prescribed authority regarding such action.

20. **Canvassing of non-Official or other Influence:**—No Board servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Board.

21. **Bigamous Marriages:**—(1) No Board servant shall enter into, or contract, a marriage with a person having a spouse living.

(2) No Board servant, having a spouse living, shall enter into, or contract, a marriage with any person :

Provided that the Board may permit a Board servant to enter into, or contract, any such marriage as is referred to in sub-rule (1) or sub-rule (2), if it is satisfied that—

- (a) such marriage is permissible under the personal law applicable to such Board servant and the other party to the marriage; and
- (b) there are other grounds for so doing.

22. **Consumption of Intoxicating Drinks and Drugs:**—A Board servant shall—

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) take due care that the performance of his duties is not affected in any way by the influence of any intoxicating drink or drug;
- (c) not appear in a public place in a state of intoxication;
- (d) not habitually use any intoxicating drink or drug to excess.

23. **Interpretation:**—If any question arises relating to the interpretation of these rules, it shall be referred to the Central Government whose decision thereon shall be final.

24. **Delegation of Powers:**—The Board, may by general or special order, direct that any power exercisable by it or any head of department under these rules (except the powers under rule 23 and this rule) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. **Repeal and Saving:**—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Board servant to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

[No. F.9(36)Plant(B)68.]
B. KRISHNAMURTHY, Under Secy.

